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Formal and informal sanctions as deterrents to rape

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FORMAL AND INFORMAL SANCTIONS AS DETERRENTS TO RAPE

A Thesis

Presented to

The Faculty of the Department of Sociology

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

by

Lita Marie Mercado

May 2006

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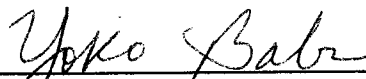
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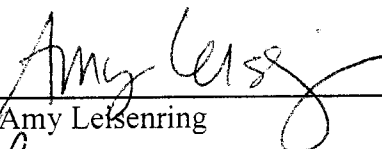
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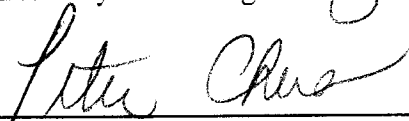
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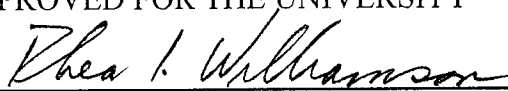


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ABSTRACT

FORMAL AND INFORMAL SANCTIONS AS DETERRENTS TO RAPE

by Lita Marie Mercado

The purpose of this research was to examine the effects of formal sanctions (e.g., arrest and jail) and informal sanctions (e.g., guilt and embarrassment) on a college male's likelihood to indicate he would rape. Two different scenarios were given to 246 community college students to read and respond to a series of questions. There were four major findings in this study: (1) asking a respondent to estimate the perceived sanctions for a scenario male revealed different results than when asking a respondent to estimate the perceived sanctions for himself; (2) an increase in a respondent's level of fear for both formal and informal sanctions decreased the likelihood to indicate he would rape; (3) the effective deterrence methods depended on the scenario; and (4) there were significant differences between the sexes regarding perceived fear of consequences for a scenario male.

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CHAPTER 1

INTRODUCTION

According to California Penal Code 261 (a) (2), “Rape is an act of sexual intercourse accomplished . . . against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another” (Legislative Counsel of California 2006:1). Rape is also described as sexual intercourse with a person who has not consented, and lack of consent is defined as the absence of “positive cooperation in act or attitude” (Legislative Counsel of California 2006:3). The Penal Code also specifically states that a current or previous dating relationship does not suggest consent (Legislative Counsel of California 2006). Furthermore, California Penal Code 261 (a) (3) states that if a person is prevented from resisting sexual intercourse due to any intoxicating substance, such as alcohol, the act meets the criteria of a rape (Legislative Counsel of California 2006).

The perpetrator of rape can be a complete stranger or somebody who is well trusted. While people in general may accept that rapes committed by strangers are horrific, many others are slow to recognize the seriousness of violations made by acquaintances (Aldridge, Friedman, and Giggans 1995). Acquaintance rape is commonly referred to as forced sex by a person who is familiar. The survivor could have met the perpetrator several times before or even just once (Allison and Wrightsman 1993; Brownmiller 1975; Reid 1994; Sanday 1996). Date rape is a specific form of acquaintance rape that occurs during the course of a date (Allison and Wrightsman 1993; Reid 1994; Sanday 1996). These two examples are the most frequently found in rape

incidents with 83.1 percent of rapes being perpetrated by someone who is known to the victim (Bureau of Justice Statistics 2005). While stranger rapes do occur, the present research will focus on acquaintance rapes.

Whether a rape is committed by a stranger or trusted friend it is an act of violence and an attempt to exercise power and control over another (Aldridge et al. 1995; Brownmiller 1975). It is important to note that even an act of violence, such as rape, does not have to involve physical force. Aldridge et al. (1995) explain that rape is sex without consent and that acquiring it means exerting as little or as much force as necessary to make the victim comply. For example, in an article entitled “Confessions of a Date Rapist,” Jack M. (1993), an anonymous self-disclosed rapist states, “Not a word was spoken during the struggle. It was just me trying to get her legs apart and her trying to get them back together” (p. 93). There was no overt violence in the situation described by Jack M. He never hit, punched, or slapped her. There was no physical resistance on the victim’s part either. For example, Jack M. (1993) states, “She did not resist me, but she did not hop onto the bed in anticipation either. She just stared straight ahead and began grinding her teeth furiously” (p. 92). As Jack M. writes in reflection, he admits that despite the absence of overt violence and resistance, he did force his victim to have sex.

National Statistics

The Uniform Crime Report (UCR) shows that in the United States there were 93,433 forcible rapes reported to law enforcement in the year 2003 (Federal Bureau of Investigations 2004). Law enforcement agencies only made 26,350 arrests for rape in

that same year, and 98.7 percent of the people arrested were male (Federal Bureau of Investigations 2004). Although the UCR statistics include attempted rapes, further analysis of the data show, that of the total number of offenses estimated in 2003, attempted rapes only accounted for 9 percent (Federal Bureau of Investigation 2004). A five-year trend comparison reveals that the number of rapes reported in 2003 is 4.5 percent higher than the number of rapes reported in 1999 (Federal Bureau of Investigation 2004).

The UCR defines rape as “the carnal knowledge of a female forcibly and against her will” (Federal Bureau of Investigations 2004:27). Rapes of male victims are not currently recorded in the UCR. However, the UCR program is currently being converted to the National Incident-Based Reporting System (NIBRS) (Bureau of Justice Statistics 2004), which will redefine rape to include acts against both males and females (Bureau of Justice Statistics 2000). As of August 2005, only 29 states have completed the conversion to the NIBRS (Justice Research and Statistics Association 2006). As this is so, national-level data is not currently available with the NIBRS statistics.

National-level data is available with the use of the National Crime Victimization Survey (NCVS). The NCVS, which relies on a nationally representative sample, indicates that 223,290 rape/sexual assaults occurred in 2003 (Bureau of Justice Statistics 2004). The NCVS is designed to estimate the number and types of crimes both reported and not reported to police (National Archive of Criminal Justice Data 2006). The NCVS indicates that 61.5 percent of rape/sexual assaults went unreported in 2003, suggesting

that rape/sexual assault is the most underreported violent crime in the nation (Bureau of Justice Statistics 2004).

According to the Bureau of Justice Statistic's (2004) publication, *The Nation's Two Crime Measures*, there are five main reasons for the difference between the UCR's report of 93,433 forcible rapes and the NCVS's report of 223,290 rape/sexual assaults. The first difference is that the UCR only reports forcible rape and attempted rape, while the NCVS includes other types of sexual assaults gathered through the following questions: "Has anyone attacked or threatened you in any of these ways . . . any rape, attempted rape, or other type of sexual attack?" and "Have you been forced or coerced to engage in unwanted sexual activity?" (Bureau of Justice Statistics 2001:14). The second difference is with regards to reporting. The UCR only considers those crimes that are reported to law enforcement, whereas, the NCVS is the primary source of information on crimes not reported to law enforcement. The third difference between the two crime measure programs is found in the methods used to acquire the data. The UCR data are compiled from monthly law enforcement reports while the NCVS data comes from personal interviews conducted by the U.S. Census Bureau personnel twice a year. The UCR numbers are based on actual counts of offenses, and the NCVS numbers are derived as estimates from the interviewing sample. The fourth difference is that the UCR includes, but the NCVS excludes, crimes against children under age 12. Fifth, and of particular significance to this thesis, both crime measure programs define forcible rape similarly, but the UCR includes women only, whereas the NCVS includes both male and female victims. Despite their distinctions, both the UCR and the NCVS produce valuable

information about rape and its prevalence. As the 2003 Crime Clock calculations indicate that there is 1 forcible rape every 5.6 minutes in the United States (Federal Bureau of Investigations 2004), perhaps Allison and Wrightsman (1993) were correct more than 10 years ago when they suggested that the United States had the highest incidence rate of forcible rape among all the industrialized countries.

State Statistics

According to *Crime in California 2003*, there were 8,461 rapes and 1,457 attempted rapes reported to law enforcement in the state of California in 2003 (California Department of Justice 2004). These numbers reflect a 6.6 percent increase in completed rapes since 1998. To gain a better understanding of what these numbers mean, consider that for every 100,000 females in the population of California, 54.8 were victims of rape by force or attempts to commit forcible rape in the year 2003. Looking at an even narrower region, of the total rape in California, 2,586 came from the county of Los Angeles alone (California Department of Justice 2004).

Rape and College Students

The NCVS does not break down statistics by state or county, rather it shows statistics by region (i.e., North, South, East, and West) and location (i.e., urban, suburban, and rural). However, the NCVS does provide information regarding the age of the victim. In 2003, the NCVS shows that the rate of rape/sexual assault was 1.3 per 1,000 persons ages 16 to 19 and 1.7 per 1,000 persons ages 20 to 24 (Bureau of Justice Statistics 2004). These rates are higher than for any other age groups noted by the NCVS. Like the female

victims, most male perpetrators (45.9%) arrested for rape are under the age of 25 (Federal Bureau of Investigations 2004).

California community colleges maintain nearly 60 percent of their students between the ages 18 to 29 (Legislative Analyst's Office 2006). As college campuses have large concentrations of young men and women who come into contact with each other in a variety of public and private settings, these institutions are the ideal setting to explore rape and deterrence.

The extent of rape among college students varies upon the research being cited. According to *The Sexual Victimization of College Women* put out by the National Institute of Justice and the Bureau of Justice Statistics (2000), about 1 in 36 college women experience a completed rape or attempted rape in an academic year. Data gathered by the NCVS for the year 2002 show a rape/sexual assault rate of 3.3 per 1,000 college students ages 18 to 24 (Bureau of Justice Statistics 2005). Yet another study suggests that 1 in 4 female college students are victims of rape or attempted rape (Warshaw 1994). However, this same study discovered that only 27 percent of the women whose sexual assault met the legal definition of rape thought of themselves as rape victims.

Effects of Rape

Whether acknowledged by the victim or not, rape has traumatic consequences (Aldridge et al. 1995; Karjane, Fisher, and Cullen 2002; The National Center for Victims of Crime 2006). Rape can cause stress reactions known as rape trauma syndrome or rape related post-traumatic stress disorder (Aldridge et al. 1995; The National Center for Victims of

Crime 2006). This can involve re-experiencing the trauma, social withdrawal, avoidance behaviors, an exaggerated startle response, guilt, fear, anger, and suicidal tendencies (Aldridge et al. 1995; National Center for Victims of Crime 2006). Victims of acquaintance rape face additional problems, as Karjane et al. (2002) state, “Their assailant may have been part of their everyday lives as someone with whom they socialize, work, attend classes, or live” (p. 5).

Purpose

The prevalence and impact of this traumatic assault calls for an extensive examination on deterrence methods. Crime deterrence research has been abundant, but only a few researchers have attempted to examine rape deterrence specifically. The purpose of this research is to add to the literature which examines the relative effect of formal sanctions (i.e., arrest and jail) and informal sanctions (i.e., guilt and embarrassment) in reducing college men's likelihood to indicate they would rape. This in turn will assist in developing methods that are effective in deterring men from actually committing the crime.

Theoretical Orientation

Over 4,000 years ago, the Code of Hammurabi stated that if a man raped a betrothed virgin he would be slain (Pritchard 1985). If a man raped a married woman, she shared the blame with her attacker, and they were both bound and thrown into a river to drown (Pritchard 1985). In modern times, however, the death penalty is not a reality for rape in the United States. In 1977, the Supreme Court ruled in *Corker v. Georgia* that capital punishment for rape was unconstitutional because the sentence was considered

disproportionate to the crime (Allison and Wrightsman 1993). Today, rape is punishable by imprisonment for three, six, or eight years depending on the circumstances (Kerlin 2005).

Not all scholars agree that formal sanctions determined by the court are the only effective deterrence methods. Originally, the central concept of deterrence theory was grounded in the fear of legal punishment, and the importance of informal punishments was largely ignored (Akers 1990). As a matter of fact, Meir, Burkett, and Hickman (1984) proclaimed that “there is no theoretical reason why the notion of deterrence cannot be extended to other types of sanctions” (p. 68). If we assume that all people are rational actors that choose between committing crimes or not to commit crimes, it is important to investigate all the sanctions that may deter criminal behavior. The present research will consider this extended version of deterrence theory and include formal and informal sanctions in its effort to determine if both are effective in deterring the likelihood for a respondent to indicate he would rape.

CHAPTER 2

LITERATURE REVIEW

By expanding deterrence theory, researchers could examine the effects of formal and informal sanctions on people's likelihood to commit crime (Grasmick and Bursik 1990; Roshier 1989). The present research examined the relative power of formal sanctions, such as arrest and jail, and informal sanctions, such as guilt and embarrassment, in deterring people from considering the specific crime of rape. Recent studies have included variables for formal and informal sanctions, but have focused on crimes such as tax evasion, littering, theft, assault, and drunken driving (Blackwell, Grasmick, and Cochran 1994; Grasmick, Blackwell, et al. 1993; Grasmick and Bursik, 1990; Grasmick, Bursik, and Arneklev 1993; Grasmick, Bursik, and Kinsey 1991). Other researchers used both formal and informal sanctions to measure the deterrent effects on crimes such as underage drinking, marijuana use, domestic violence, and probation violations (Berk et al. 1992; Maxwell and Gray 2000; Paternoster and Piquero 1995). Since much research on deterrence has not been conducted on rape, the present research was important. The following literature review has discussed original deterrence theory, the types of deterrence research conducted on general crime, deterrence research on rape distinctively, and finally, the inclusion of female respondents in rape deterrence research.

Theory

The "classical school" of criminology has consisted of three major concepts: (1) all humans are rational, capable persons with free will (Beccaria [1764] 1986; Bentham [1781] 1988; Einstadter and Henry 1995; Reid 1994; Traub and Little 1999; Williams

and McShane 1993); (2) people naturally seek pleasure and avoid pain (Bentham [1781] 1988); and (3) legal punishments deter crime (Beccaria [1764] 1986). This classical school of criminology has been attributed to the eighteenth-century work of legal scholars such as Cesare Beccaria ([1764] 1986) and Jeremy Bentham ([1781] 1988) who wrote in response to the arbitrary and corrupt criminal justice system of their time (Einstadter and Henry 1995; Reid 1994). They emphasized that people were free to choose crime as one of a range of behavioral options (Einstadter and Henry 1995) and that the law should prescribe the specific punishments for criminal behavior (Beccaria [1764] 1986). The idea that legal obstacles could restrain people from committing crimes was central to the classical school deterrence theory (Beccaria [1764] 1986; Reid 1994).

The classical school of criminology spanned a period of 240 years beginning with its developing stages of 1748—1813 (Einstadter and Henry 1995). Cesare Beccaria's ([1764] 1986) major work *Essay on Crimes and Punishment* and Jeremy Bentham's ([1781] 1986) *The Principles of Morals and Legislation* have fit snugly in the middle of the classical perspective's emergent period.

Cesare Beccaria. Beccaria believed that the worst crimes were not committed on the spur of the moment (Beccaria [1764] 1986). He proposed that people, as rational thinkers, had the ability to ponder and choose particular behaviors and did so based on their calculations of costs and benefits (Beccaria [1764] 1986). Consequently, Beccaria proposed that legal punishments should impose more costs than the benefits derived from any criminal activity (Beccaria [1764] 1986; Reid 1994). Beccaria ([1764] 1986) alleged that the only reason why people did not act out of their own desires and immediate needs

was because of the law; therefore, the laws needed to be “clear and simple” (p. 75). If people could understand the law, they could precisely calculate the consequences of any given misdeed (Beccaria [1764] 1986). Cesare Beccaria ([1764] 1986) specifically wrote, “The greater the number of people who understand the sacred law code and who have it in their hands, the less frequent crimes will be, for there is no doubt that ignorance and uncertainty concerning punishments aid the eloquence of the passions” (p. 13).

Deterrence theory has recognized two types of deterrence, general and specific (Paternoster and Piquero 1995; Reid 1994). General deterrence has been based on the assumption that punishing a specific individual would provide an example to potential violators (Beccaria [1764] 1986; Bentham [1781] 1988; Paternoster and Piquero 1995; Reid 1994). Specific deterrence has referred to the effect of punishment in preventing a particular individual from committing additional crimes. Beccaria ([1764] 1986) recognized both when he explained, “The purpose of punishment then is nothing other than to dissuade the criminal from doing fresh harm to his compatriots and to keep other people from doing the same” (p. 53).

Beccaria ([1764] 1986) believed that laws were necessary to maintain a free and secure nation. His theoretical perspective suggested that people did not commit crimes because they feared the law and were more prone to criminal activity when the benefit of the act outweighed the cost of the punishment (Beccaria [1764] 1986; Einstadter and Henry 1995; Reid 1994; Traub and Little 1999; Williams and McShane 1993). Beccaria’s ([1764] 1986) theorem was important to this thesis in that his classical

impression of deterrence theory was that only legal sanctions imposed enough fear to deter people from committing crimes.

Whereas Cesare Beccaria only identified the fear of the law as influencing behavior, Jeremy Bentham extended deterrence theory to include other types of costs considered by potential violators (Akers 1990; Reid 1994). Beccaria ([1764] 1986) believed that people had no moral stop and that by law alone did they resist certain behaviors, while Bentham ([1781] 1988) made room for what he called "moral sensibility" and "moral biases" (p. 44).

Jeremy Bentham. Nearly two decades later, in 1781, Jeremy Bentham shared many of the same thoughts as Beccaria (Einstadter and Henry 1995; Reid 1994; Williams and McShane 1993). He too acknowledged general and specific deterrence by claiming that legal punishment could prevent a person from committing further crimes and that the enforcement of such punishment could act as an example to others, influencing them to adhere to the law (Bentham [1781] 1988).

Jeremy Bentham was most famous for his system of ethics known as utilitarianism, which stated that human action was based on pleasure and pain (Einstadter and Henry 1995; Reid 1994). Bentham ([1781] 1988) believed that nature had "placed mankind under the governance of two sovereign masters, pain and pleasure" (p. 1). Jeremy Bentham thought that pleasure and pain determined what we would do in any given situation (Bentham [1781] 1988; Einstadter and Henry 1995; Traub and Little 1999; Williams and McShane 1993). In order to clarify his theory, he identified four sources from which pleasure and pain could have derived: physical, political, moral, and

religious (Bentham [1781] 1988:24). Inasmuch as these four sources of pleasure and pain were capable of binding people to the law, he termed them “sanctions” (Bentham [1781] 1988:24).

Bentham ([1781] 1988) explained that a physical sanction occurred when “the ordinary course of nature” caused the sensation of physical pain (p. 25). For example, if a person got burned because he or she forgot to put a candle out, Bentham ([1781] 1988) would have categorized this type of punishment as physical. A political sanction occurred when the pain was imposed at the hands of a representative of the state (Bentham [1781] 1988; Einstadter and Henry 1995; Williams and McShane 1993). For example, if a person's home was set on fire as a sentence imposed by a judge then Bentham ([1781] 1988) would have deemed the style of punishment as political. A moral sanction occurred when the pain was imposed by another person in the community who, for whatever reason, had “some dislike to his moral character” (Bentham [1781] 1988:26). An example of this would have been a neighbor’s refusal to assist with a house fire because he or she did not approve of the neighbor’s moral fiber (Bentham [1781] 1988). Bentham’s ([1781] 1988) final sanction was referred to as religious. A religious sanction could have occurred when the pain was imposed by a superior being (Bentham [1781] 1988; Einstadter and Henry 1995; William and McShane 1993). To continue with the examples made above, should a house have caught on fire due to God’s displeasure, the sanction would have been referred to as religious (Bentham [1781] 1988). Jeremy Bentham ([1781] 1988) acknowledged that physical pain, issues of morality, and religious concerns were all reasons why people may have adhered to the law.

The measure of pain caused by any of the aforementioned sanctions could have been calculated by considering the punishments certainty, swiftness, and severity (Bentham [1781] 1988). Being a contemporary of Beccaria, Jeremy Bentham accepted the prior established concept that the certainty of punishments was more important than the severity because it “created the greatest efficiency in punishment resources” (Williams and McShane 1999:3). The severity or swiftness of punishment was valueless if the crime was not detected (Bentham [1781] 1988). Bentham ([1781] 1988) recognized that enforcement was not perfect and that some crimes stood less chance of being discovered. That being said, he proposed an increase in the severity of punishments for those crimes that were difficult to detect by stating, “To enable the value of the punishment to outweigh that of the profit of the offence, it must be increased, in point of magnitude, in proportion as it falls short in point of certainty” (Bentham [1781] 1988:184). In other words, certainty needed to be compensated for, in order not to lose the deterrent effect. This idea stemmed from Beccaria’s ([1764] 1986) theory that people were more frightened by an inevitable minor punishment than they were by one more severe, if it was accompanied by the hope that one might escape that punishment. For Bentham ([1781] 1988), promptness too posed a problem and was grounds for varying the severity of punishment. This outlook was in concurrence with Beccaria ([1764] 1986) who believed that the closer the offense was associated with a consequence, the greater the educational impact.

The major criticism of the classical model of deterrence theory has been its limited vision of effective sanctions (Akers 1990; Einstadter and Henry 1995, Meir et al.

1984; Roshier 1989). The major argument for the “postclassicist” position has been to move away from the criminal justice system as the only provider of disincentives (Einstadter and Henry 1995). To be deterred has meant to refrain from doing something out of fear of the consequences, but these negative consequences need not have been limited to formal punishments imposed by the state (Grasmick and Bursik 1990). Negative consequences could have also included informal punishments imposed by peers, family, community, and self (Bachman, Paternoster, and Ward 1992; Blackwell et al. 1994; Grasmick et al. 1991; Grasmick, Blackwell, et al. 1993; Grasmick and Bursik 1990; Grasmick, Bursik, et al. 1993; Loewenstein, Nagin, and Paternoster 1997). Grasmick and Bursik (1990), for example, suggested that informal sanctions, such as guilt and embarrassment, should have been incorporated in deterrence research.

Conceptually, the expanded deterrence theory has assumed that actions are based on rational decisions and that criminal behavior can be deterred if a person fears the pain of formal sanctions and/or informal sanctions (Grasmick and Bursik 1990; Roshier 1989). Both formal and informal sanctions have been believed to pose possible threats or costs, which people will take into account when considering whether or not to violate the law (Grasmick and Bursik 1990; Roshier 1989). Grasmick and Bursik (1990) suggested, “The threats of shame and embarrassment, like the threat of legal sanctions, affect the expected utility of crime and thus the likelihood that crime will occur” (p. 837). This and other recent research has suggested that measuring the fear of legal consequences and ignoring other factors, such as guilt and embarrassment, has been a disservice to deterrence theory (Bachman et al. 1992; Grasmick and Bursik 1990).

General Crime and Deterrence

In 1990, Grasmick and Bursik conducted a study to test the deterrent effects of shame, embarrassment, and incarceration on a respondent's inclination to commit three offenses: tax cheating, petty theft, and drunk driving. Shame was defined as a self-imposed sanction and operationalized by asking, "Would you feel guilty if you . . ." (Grasmick and Bursik 1990:345). Embarrassment was defined as a socially imposed sanction and operationalized by asking, "Would most of the people whose opinions you value lose respect for you if you . . ." (Grasmick and Bursik 1990:345), while incarceration was recognized as a state-imposed sanction operationalized by asking, "Do you think you would get caught if you . . ." (Grasmick and Bursik 1990:345). After interviewing 360 randomly selected adults, it was determined that the threats of shame (i.e., fear of feeling guilty) and legal sanctions (i.e., fear of getting caught) had significant inverse relationships on the respondents' intentions to cheat on taxes, steal, and to drive while drunk. The threat of embarrassment (i.e., fear of losing respect from others) had no significant relationship to the likelihood of committing any of the crimes. Interestingly, the fear of shame was a greater deterrent effect than legal sanctions for both tax cheating and drunk driving.

Three years later, the drunk driving results were duplicated by Grasmick, Bursik, et al. (1993). It was revealed that an increase in the threat of guilty feelings reduced self-reported drunk driving in their sample of adults. Even more recently, research examining college drunk driving showed that informal sanctions had at least equal deterrent effects as formal sanctions (Nagin and Pogarsky 2001). Nagin and Pogarsky (20001) reasoned

that most of the deterrence produced by legal sanctions occurred from the tendency to produce greater extralegal consequences, such as being embarrassed by the arrest.

Other types of crimes revealed their own conclusions. While testing the effects of an antilittering campaign which appealed to citizens' conscience by attempting to increase the threats of shame and embarrassment for littering, Grasmick et al. (1991) discovered that respondents were less likely to indicate that they would litter two years after the campaign was completed. These results insinuated that the fear of shame and embarrassment were effective deterrents to littering. Other crimes studied were underage drinking and marijuana use. In 1995, Paternoster and Piquero looked at high school students in order to determine what would deter them from drinking liquor and smoking marijuana. After interviewing the students it was found that moral beliefs condemning alcohol and marijuana were inversely related to use.

The summary of past research has suggested that informal sanctions, such as guilt and embarrassment, have been as effective in deterring crimes as formal sanctions, such as arrest and jail. However, none of the aforementioned bodies of research has explored the crime of rape as the focus for deterrence. In the following section, the relationship between rape and deterrence has been examined.

Rape and Deterrence

In 1996, Veneziano and Veneziano examined the reasons people may have refrained from engaging in various illegal behaviors. They developed a questionnaire that asked respondents to rank order five reasons for not committing a given crime. The five reasons respondents were given to choose from were as follows: (1) fear of

arrest/court/probation/prison; (2) hurting/disappointing/losing the respect of their family; (3) violating moral/ethical principles; (4) hurting/disappointing/losing the respect of friends; and (5) being labeled as a criminal/loss of reputation/career. The Veneziano and Veneziano (1996) study asked each person to respond to 18 total crimes. The crimes that were used in the questionnaire included shoplifting, burglary, driving while intoxicated, possession of illicit drugs, auto theft, petty larceny, rape, speeding, assault, harassment, robbery, selling an illicit drug, attempted murder, grand larceny, cheating on income tax, forgery, vandalism, and prostitution. One hundred and sixty nine college male and female students participated in this research. What this research discovered was that formal deterrent factors, such as being arrested and/or going to prison, were the most important reasons given for not committing most of the offenses listed. Interestingly enough, this pattern was not held true in regards to the crime of rape. The number one reason to not commit a rape was violating moral/ethical principles. The fear of formal sanctions ranked third for not engaging in rape, behind hurting/disappointing/losing respect from family. Although the Veneziano and Veneziano (1996) study showed that formal deterrence was relatively more effective than informal deterrence for most crime, for the crime of rape, informal sanctions were more effective than formal sanctions.

In an early study on rape, Malamuth (1981) asked male college students how likely they were to rape if they could be assured they would not get caught. They found that an average of 35 percent indicated some likelihood that they would commit rape. This study had not included fear of informal sanctions as a possible deterrent effect. In 1992, this gap in the research was addressed by Bachman et al. who examined the effects

of formal and informal sanctions on potential sexual offenses.

Using a sample of 94 male college students in introductory social science courses at a state university, Bachman et al. (1992) put forward that the motivation to rape was affected by the costs of the crime including formal sanctions, such as being dismissed from school or arrested, and informal sanctions, such as social censure (strong disapproval by peers) and moral beliefs. Each student was given a packet with five sexual assault scenarios. The circumstances of the offense were specifically outlined, and respondents were asked to estimate the likelihood that the female victims would report, the likelihood that the male offenders would be dismissed from school or arrested, and the likelihood that their actions would be disapproved of by their friends if they were arrested or dismissed from school. Respondents were also asked, “How morally wrong is this incident?” (Bachman et al. 1992:355). Finally, respondents indicated on an 11-point continuum how likely they would have behaved as the male in the scenario under similar circumstances.

The results showed that projections to commit sexual assault were affected by the fear of being formally sanctioned (i.e., being dismissed from the university or arrested) and the respondents' moral beliefs. Bachman et al.'s (1992) study supported the idea that both formal and informal sanctions could deter rape, and they also proposed that the context of the situation may have affected the likelihood to sexually assault. For instance, respondents perceived a significantly lower likelihood of formal and informal sanctions when the context of the scenario included no use of force or the threat of force, when the couple in the scenario had been dating, and if the female had allowed kissing.

Controlling for the contexts of the scenario, Bachman et al. (1992) suggested that self-imposed sanctions in the form of moral beliefs may have held stronger deterring effects for the crime of rape than any other sanction. This fit nicely into the expanded deterrence theory. That is, the results indicated that moral sanctions were effective deterrents, and perhaps when a respondent's morality was not effective in preventing the crime of rape, the fear of formal sanctions increased.

Much like tax cheating, theft, and drunk driving (Grasmick and Bursik 1990), the fear of losing respect from others was not shown to deter the projection to rape in the Bachman et al. (1992) study. Respondents were asked to indicate the likelihood that the scenario male's friends would lose respect for him if he had committed a sexual assault. Overwhelmingly, the college men surveyed did not believe that the scenario male's friends would have lost any respect. It was possible that the operationalization of the term may have been problematic. Respondents might have believed that those who sexually assaulted had friends that supported that type of deviant behavior but that their own friends would certainly have disapproved. A recent study by Abbey et al. (2001) supported such a supposition.

Abbey et al. (2001) examined the relationship between sexual assault perpetration and peer support for forced sex by looking at 343 male undergraduate students. In order to determine if a given respondent had participated in some form of sexual assault, the Sexual Experiences Survey developed by Koss and Oros (1982) was utilized. The results of the Abbey et al. (2001) study showed that 33 percent of the college students reported that they had perpetrated some form of sexual assault. In fact, 3 percent indicated that

they had attempted rape and 5 percent described that they had completed an act that met the legal definition of rape. Of the respondents that committed a sexual assault, 78 percent acknowledged committing more than one.

In order to measure peer support for forced sex, respondents in the Abby et al. (2001) study were asked to what extent their friends would approve of the following three situations: (1) getting a woman drunk to have sex with her, (2) lying to a woman to have sex with her, and (3) forcing a woman to have sex. After careful analysis, it was concluded that compared with men who had not committed sexual assault, perpetrators had friends who more strongly approved of forced sex. Abbey et al.'s (2001) study suggested that those who had friends who approved of forced sex were more likely to commit rape, while those men who did not have friends who approved of forced sex were less likely to commit rape.

The only other research besides the aforementioned Veneziano and Veneziano (1996) study and the Bachman et al. (1992) study that addressed the effects of both formal and informal sanctions on rape specifically, was a study completed by Lowenstein et al. (1997). A major difference between these three studies could be found in the methodology. Veneziano and Veneziano (1996) asked respondents to rank order reasons for not committing rape, while Bachman et al. (1992) asked respondents to estimate a scenario male's perceived fear of formal and informal sanctions. The Lowenstein et al. (1997) study differed by asking respondents about their own personal fear of formal and informal sanctions. Although the Lowenstein et al. (1997) study focused on how sexual arousal might affect men's ability to perceive costs and benefits of acting in a sexually

aggressive manner, they also looked at whether or not recognizing sanctions would deter sexual aggressiveness. All 80 participants were male undergraduate students recruited from introductory criminal justice courses and campus announcements. The median age was 21 and most of the respondents were seniors. Each respondent read and responded to a scenario describing a dating situation where the date had progressed to a point where the male had to decide how sexually forceful to act. Respondents were asked, "Suppose you were in this situation. What do you think is the chance that you would: (1) 'verbally coax her to let you remove her clothes'; and (2) 'have sex with her even if she protested?'" (Lowenstein et al. 1997:450). Respondents were then asked to circle a point on a 0 to 100 percent scale, where the 0 percent point marked no chance and the 100 percent point marked definitely would try to coax her or definitely would have sex with her. The questions included the likelihood they would commit the act of sexual assault, their perceptions of certainty and severity of formal and informal sanctions, possible loss of self-respect, and their moral evaluation of the act.

The results of the Lowenstein et al. (1997) study showed that sexual aggressiveness was significantly related to whether or not the respondent feared feeling guilty, believed it was immoral to force sex on a woman, feared being arrested, and feared losing the respect of friends. The more a respondent feared these factors, the less likely he was to have suggested that he would force a woman to have sex with him based on the scenario the researchers provided. The Lowenstein et al. (1997) study supported the prior research by having shown that informal sanctions, such as guilt and morality, could deter rape and suggested that socially imposed sanctions, such as fear of losing

respect, were effective when a respondent was asked to estimate his own personal fear of sanctions.

The present research expected to find similar results to the literature reviewed, in that the fear of formal and informal sanctions would have reduced a respondent's likelihood to indicate that he would have sex with a woman who did not consent.

Therefore the following hypotheses were created:

1. The greater the perceived threat of guilt, the less likely for a respondent to indicate he would rape.
2. The greater the perceived threat of embarrassment, the less likely for a respondent to indicate he would rape.
3. The greater the perceived threat of arrest, the less likely for a respondent to indicate he would rape.
4. The greater the perceived threat of jail, the less likely for a respondent to indicate he would rape.

Since few studies have measured the effects of formal and informal sanctions specifically for the crime of rape, the present research has added to the literature. In addition, this thesis explored the differences between asking a respondent to estimate a scenario male's fear of formal and informal sanctions as compared to asking a respondent to estimate his own personal fear of formal and informal sanctions.

Women as Respondents

Measures of effective sanctions on the inclination to rape have been explored, in all cases

except one, with male only samples. The one study that included women was the Veneziano and Veneziano (1996) study, but they asked the women what their personal reasons were for not committing the act of rape. What have not been explored are women's thoughts regarding effective sanctions on the inclination for men to rape. As men are the perpetrators of rape and other sexual assaults 96.5 percent of the time (Bureau of Justice Statistics 2005), this question was especially compelling. The present study addressed this gap in the research by asking female respondents to estimate the level of fear a scenario male may have experienced if he chose to have sex with a woman without her consent.

With the exception of rape deterrence research, women have been included as respondents in studies that measured informal versus formal deterrence on many other crimes. The results indicated that men perceived lower threats of shame, embarrassment, and legal sanctions than females, and almost always there was a significant difference (Grasmick et al. 1991; Grasmick, Blackwell, et al. 1993; Grasmick and Bursik 1990; Grasmick, Bursik, et al. 1993). These studies asked respondents their personal inclinations to commit various crimes and what would deter them individually. Whether or not this would hold true for rape was not explored prior to the present research.

When women have been included in rape research the studies have focused on topics, such as victim blaming (Caron and Carter 1997), accepting rape myths (Mori et al. 1995), level of support for rape victims (Mori et al. 1995; Schneider 1992), assessing responsibility (Edmonds and Cahoon 1986; Field 1978; Schneider 1992), describing a typical rape (Littleton and Axsom 2003), and level of sensitivity (Verberg et al. 2000).

None of these past studies addressed rape deterrence. In light of this lack of previous investigation, the following research question was posed: Will female respondents differ from male respondents when asked to indicate the perceived level of fear for a scenario male who has raped?

CHAPTER 3

METHODS

The following section consists of a general description on how the study was organized, how the sample was selected, and the way the study was presented to the potential respondents.

Subjects

A nonrandom sample of community college students was selected from various colleges in Los Angeles County including Pasadena City College, East Los Angeles College, and Glendale Community College. The sample was drawn from a college population for two reasons: They were a convenient group to sample, and the students were in the high risk age range.

A total of 272 students, 182 at Pasadena City College, 54 at East Los Angeles College, and 36 at Glendale Community College completed questionnaires between November 2002 and October 2003. Twenty-one questionnaires were eliminated because they were incomplete, and another five were removed due to the fact that the respondents were under the age of 18. The total sample size after deleting incomplete and unqualified questionnaires was reduced to 246 from the original 272. Of the 246 respondents, there were 108 male respondents and 138 female respondents. Although the study's primary focus was on the male respondents, a female questionnaire was distributed to the women in order to explore their perspectives on the relative deterrent effects of guilt, embarrassment, arrest, and jail on male college students' likelihood to indicate they would rape.

Procedure

The Los Angeles Commission on Assaults Against Women provided rape prevention education to college campuses throughout Los Angeles County, and they provided permission to use their contacts to select participant classes (Appendices A and B). College instructors were contacted via telephone and were asked permission to disperse a questionnaire at the beginning of their class. The purpose of the research was explained to each instructor, and they were provided with a copy of the questionnaires. Once the instructor granted permission to disperse the questionnaires, a time and date was scheduled to distribute them to their class. On the day that the questionnaire was distributed, the researcher announced the intention of the study to the class and asked students to participate voluntarily in the research. The class was informed that the questionnaire was to be utilized for a master's thesis for San Jose State, and that it should take about 15 minutes to complete. An "Agreement to Participate in Research" form (Appendix C) and the questionnaires (Appendices D and E) were then distributed to all students. Prior to asking the students to complete the questionnaires, the "Agreement to Participate in Research" form was read out loud. Students were then asked to sign the form if they agreed to complete the questionnaire. Completed questionnaires were returned faced down into a box, and the box was covered prior to the researcher leaving the class.

Instrument

A male and female questionnaire approved by the Human Subjects-Institutional Review Board at San Jose State served as the instrument for this study. Each questionnaire

consisted of three parts and ended with an opportunity for the respondent to make any additional comments that he or she desired. The first part of the questionnaire contained basic sociodemographic information such as age, educational level, as well as a question regarding the respondents' relationship status (dating, committed, married, etc.).

The second and third part of the questionnaire consisted of scenarios describing two different types of rape incidents. This study chose to utilize scenarios since they provided important contextual information. These scenarios were developed from those used by Bachman et al. (1992) and Loewenstein et al. (1997). The present study differed from the aforementioned research in that the respondents were asked to answer both for themselves and for the scenario male. Since Bachman et al. (1992) discovered that circumstances may influence the projection to commit sexual assault, two different scenarios were provided to each respondent. The first scenario described an incident between two acquaintances:

Tammie is a twenty-year-old female college student. When returning to her apartment from shopping, David approached her. David is a twenty-two-year-old male college student who Tammie had seen on campus but did not know. He asked her if he could use her phone, and she let him in. After David was inside the apartment he eluded that he wanted to have sex with her. She told him no and tried to push him out of the apartment, but she couldn't. David threatened to hit her if she didn't give in, and Tammie became too frightened to protest. David had sexual intercourse with her and then left.

The second scenario described a more ambiguous incident between two friends that were interested in dating each other:

Tammie is a twenty-year-old female college student. When returning to her apartment from a party where she had too much to drink, David approached her. David is a twenty-two-year-old male college student who Tammie had met through a mutual friend. He accompanied her home. During the walk it became evident that they were interested in each other. Tammie invited David up for a

drink. After David was inside the apartment he eluded that he wanted to have sex with her. Tammie became offended and asked David to leave, but he didn't. David became persistent and tried to persuade her to change her mind. Eventually, Tammie allowed David to start kissing her. She later said no again, but David continued and had sexual intercourse with her anyway. David then left, but promised to call her later.

Each scenario was followed by a series of questions about things that might have occurred as a result of the incident described.

Variables

In this study, there were four independent variables and one dependent variable. The independent variables were organized as either formal sanctions, such as those imposed by the state (i.e., arrest and jail) or informal sanctions, such as those that were self-imposed and socially imposed (i.e., guilt and embarrassment). As defined by Grasmick and Bursik (1990), state-imposed sanctions were material deprivations in the forms of arrest and/or jail. Self-imposed sanctions were feelings of guilt which people might have placed on themselves when they engaged in behaviors that they considered to be morally wrong, and socially imposed sanctions were the feelings of embarrassment people might have experienced when they violated norms, which their peer groups supported (Grasmick and Bursik 1990). The dependent variable was the likelihood for a respondent to indicate he would rape.

For the purposes of this study, formal sanctions were those imposed by the state, including arrest and jail. This definition was derived from Akers (1990) and Grasmick and Bursik (1990) who explained formal sanctions as the fear of legal punishment and the consequences of such.

The independent variable, fear of being arrested, was conceptually defined as removal from an area by police and being booked for a crime. This variable was measured by asking the following four questions:

1. Estimate the likelihood that Tammie would report this incident to the police.
2. Estimate the likelihood that because of this incident, the police would arrest David.
3. If David was arrested, how big of a problem do you think it would create for his life?
4. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, estimate the likelihood that you would be arrested.

When asked to “estimate the likelihood,” as in questions (1), (2), and (4) the response options ranged from 0 (no likelihood at all) to 10 (definitely would happen). For question (3), respondents were asked to circle either “no problem at all,” “a little problem,” or “a big problem.”

The independent variable, fear of going to jail, was conceptually defined as a physical deprivation imposed by the state and was measured by asking the following three questions:

1. Estimate the likelihood that because of this incident, David would have to do some jail time.
2. If David had to do some jail time, how big of a problem do you think it would create for his life?

3. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, estimate the likelihood that you would have to do some jail time.

Once again, when asked to “estimate the likelihood,” the response options ranged from 0 (no likelihood at all) to 10 (definitely would happen). For the second question, respondents were asked to circle either “no problem at all,” “a little problem,” or “a big problem.”

For the purposes of this study, socially imposed sanctions were called embarrassment. This definition was derived from Grasmick and Bursik (1990) who explained that the loss of respect experienced when one violated norms his or her significant others held was a socially imposed informal sanction. The consequences of being embarrassed could have included a physiological discomfort, loss of valued relationships, and restrictions in opportunities to achieve other valued goals over which significant others may have had some control (Grasmick and Bursik 1990). The independent variable, fear of embarrassment, was measured by asking the following two questions:

1. Estimate the likelihood that David would be embarrassed if his friends found out about the incident.
2. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, estimate the likelihood that you would be embarrassed if your friends found out about the incident.

The response options ranged from 0 (no likelihood at all) to 10 (definitely would happen).

For the purposes of this study, self-imposed sanctions were called guilt. This definition was derived from Grasmick and Bursik (1990) who explained that offending one's own conscience by having engaged in behavior he or she considered morally wrong was a self-imposed informal sanction. The independent variable, fear of feeling guilty, was measured by asking the following two questions:

1. Estimate the likelihood that David would feel guilty about the incident.
2. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, how likely is it that you would feel guilty afterwards?

The response options ranged from 0 (no likelihood at all) to 10 (definitely would happen).

The dependent variable, the likelihood for a respondent to indicate he would rape, referred to a respondent's suggestion that he would have sex with a woman who had not consented. By using Bachman et al.'s (1992) study, the dependent variable was operationalized by asking the following question: Estimate the likelihood that you would do what David (the scenario male) did under the same circumstances. The response options ranged from 0 (no likelihood at all) to 10 (definitely would happen).

Analytical Procedures

Several statistical procedures were used to aid with data analysis and interpretation.

Univariate analysis (i.e., mean) was used to explore the characteristics of single variables.

The mean described the sum total of all observations divided by the number of observations (Bohrnstedt and Knoke 1994; Frankfort-Nachmias and Nachmias 1996; Sweet 1999). In other words, the mean referred to the average response for each variable. To determine if the differences between the mean responses of men and women were due to random chance, *t*-tests of significance were conducted. Bivariate analysis (i.e., Pearson's correlation) was used to examine relationships between two variables. A Pearson's correlation was designed to measure the strength of the relationship between two continuous variables (Sweet 1999). The closer the correlation was to either +1 or -1, the stronger the relationship, and the positive and negative signs indicated direction. For example, a -1 indicated a negative relationship and a perfect linear association between two variables (Sweet 1999).

Summary

This research investigated the importance of informal sanctions (i.e., guilt and embarrassment) and formal sanctions (i.e., arrest and jail) as factors that could potentially play a part in deterring a college male from indicating he would rape. In addition, this study explored how the context of a rape may affect responses and then compared the respondents' estimates of fear for a scenario male with the respondents' estimates of fear for themselves. Finally, this thesis made inquiries into possible differences between male respondents and female respondents and how gender may have influenced results. All analytical procedures were produced by SPSS 9.0 for windows.

CHAPTER 4

RESULTS

This chapter explains the analysis of the data and the findings. The general demographics of the sample and the results of the data analysis for the hypotheses will be discussed in this section.

Demographics

The total sample after deleting those under the age of 18 and the incomplete questionnaires was 246. Table 1 has revealed the sex of the respondents. The sample was composed of 108 males (43.9%) and 138 females (56.1%).

Table 1. Sex of Respondents

	Frequency	Percent
Male	108	43.9
Female	138	56.1
Total	246	100.0

The age of the students ranged from 18 to 62 with a mean of 27.52 years old (standard deviation was 6.92). The majority of the respondents were under 25 years old (85%). Table 2 has revealed the number of respondents under the age of 25 and those respondents 25 and older.

Table 2. Age of Respondents

	Frequency	Percent
Under 25	209	85.0
25 and older	37	15.0
Total	246	100.0

Although this was a useful population to sample as many studies have indicated a high occurrence of rape between the ages of 18 to 24, age was not a useful variable of analysis

in the present study since the college sample used did not have much variability in terms of age.

Table 3 has indicated the level of education of the respondents. Since all respondents were required to be registered in at least one college course, the majority of students indicated that the highest level of education completed was “some college” (93.8%). Eleven respondents (4.5%) indicated that they had completed their B.A. or B.S., another three respondents (1.3%) indicated they had completed their M.A. or M.S., and one respondent (.4%) had completed some graduate school. There were four respondents who neglected to indicate their level of education. Once again, due to the lack of variability, this demographic was not very useful for the analysis under study.

Table 3. Education of Respondents

	Frequency	Percent
Some college	227	93.8
B.A. or B.S.	11	4.5
M.A. or M.S.	3	1.3
Some graduate	1	.4
Total	242	100.0

Table 4 has revealed the relationships status of all the respondents. Of the 246 respondents, nearly equal were either in a committed relationship (33.6%) or were not currently in a relationship (34.4%). The number of students who were “casually dating” reached 42 or 17.2 percent. The remaining students were either married (7.0%), engaged (2.9%), divorced (1.2%), separated (.4%), widowed (.4%), or they selected other (2.9%). Those respondents who indicated "other" noted such relationships as single mother, married but in the process of separation, long distance relationships, or only dating one person. There were two respondents who neglected to indicate their relationship status.

Table 4. Relationship Status of Respondents

	Frequency	Percent
No current romantic	84	34.4
Casually dating	42	17.2
Committed	82	33.6
Engaged	7	2.9
Married	17	7.0
Separated	1	.4
Divorced	3	1.2
Widowed	1	.4
Other	7	2.9
Total	244	100.0

Means of Variables

To address the hypotheses regarding formal and informal sanctions and their effects on men's likelihood to indicate they would rape, the analysis began by establishing the mean response for each variable. Each response could have ranged from 0 to 10, where 0 indicated "no likelihood at all" and 10 indicated "definitely would." Only the male respondents were included in this part of the analysis since the hypotheses being addressed were specific to the men's likelihood to indicate they would rape. Female respondents were not asked their personal inclination to rape.

Table 5 has revealed that the highest mean response for both scenarios was the respondents' fear of feeling guilty. The mean response for guilt in the acquaintance scenario reached an extremely high 9.01 and the mean response for guilt in the interested friend scenario reached 7.12. Interestingly, in both scenarios, the respondents' personal fear of sanctions was higher than the respondents' belief that David (the scenario male) feared sanctions.

Table 5. Means of Variables

	Acquaintance Scenario		Interested Friend Scenario	
	Scenario Male N=108	Respondent	Scenario Male N=108	Respondent
Embarrassment	5.93 (3.57)	8.78 (2.52)	4.05 (3.36)	6.70 (3.47)
Guilt	4.70 (3.02)	9.01 (2.27)	4.12 (3.20)	7.12 (3.31)
Arrest	8.24 (2.51)	8.42 (2.42)	5.22 (3.31)	5.74 (3.34)
Jail	8.26 (2.25)	8.52 (2.25)	5.88 (3.13)	5.78 (3.37)
Rape		.44 (1.45)		1.81 (2.81)

Note: Each variable ranged from 0 to 10. Numbers in parenthesis are standard deviations.

Table 5 also included the mean response for the dependent variable, likelihood for a respondent to indicate he would rape. For aesthetic reasons, the dependent variable was identified simply as "rape" in all of the applicable tables. Once again, each response could have ranged from 0 to 10. When asked to estimate the likelihood that they would have done what David (the scenario male) did under the same circumstances (i.e., have sex with a woman who had not consented), the mean response for the acquaintance scenario was .44 and for the interested friend scenario was 1.81. This reflected a low likelihood for the respondents to indicate they would rape. While the table above only shares the mean responses, relationships between variables will be explored later in the present study.

To extrapolate further information, the dependent variable in each scenario was dichotomized. A response of 0 meant there was no likelihood at all for a respondent to

indicate he would rape and a response of 1 through 10 was recoded as a 1 to suggest some likelihood for a respondent to indicate he would rape. This procedure was applied in the Bachman et al. (1992) study. Bachman et al. (1992) suggested that dichotomizing the variables would allow for the examination of absolute deterrence and better estimate the effects of sanctions on the likelihood of a sexual assault. Table 6 reports that 88.9 percent of the men indicated that there was no likelihood at all that they would rape in the acquaintance scenario. For the interested friend scenario, 58.3 percent of the men indicated no likelihood at all to rape. Given the circumstances of the acquaintance scenario however, 12 male students (11.1%) in this research indicated some likelihood to have sex with Tammie (the scenario female) even though she had not consented. By contrast, 45 male students (41.7%) said that they would have sex with Tammie (the scenario female) even though she had not consented, given the circumstances of the interested friend scenario.

Table 6. Dichotomized Likelihood to Rape

	<u>Acquaintance Scenario</u>		<u>Interested Friend Scenario</u>	
	Frequency	Percent	Frequency	Percent
No likelihood at all to rape	96	88.9	63	58.3
Some likelihood to rape	12	11.1	45	41.7
Total	108	100.0	108	100.0

While the above data analyses examined the characteristics of the individual variables, bivariate analysis using Pearson's correlation was performed to examine the ways in which the variables were associated with one another. To prevent confusion, the

respondents' perception of the scenario male's fear was measured first and then the respondents' personal fear followed.

Respondents' Perceptions of the Scenario Male

In an attempt to discover the strength of the relationship between the dependent variable, likelihood for a respondent to indicate he would rape, and the independent variables discussing the scenario male's fear of sanctions, a Pearson's correlation was conducted with the originally coded dependent variable. The results can be viewed in Table 7 and Table 8.

Table 7. Correlations between Scenario Male's Fears and Rape in Acquaintance Scenario

	Rape	Embarrassment	Guilt	Arrest	Jail
Rape	1.000				
Embarrassment	.003	1.000			
Guilt	.028	.397**	1.000		
Arrest	-.117	.166	.001	1.000	
Jail	-.188	.155	.009	.681**	1.000

* $p < .05$ ** $p < .01$ (two-tailed tests)

Table 7 has indicated that all the sanctions including embarrassment, guilt, arrest, and jail had an extremely weak relationship to a respondent's likelihood of indicating he would rape. Even though none of the sanctions reached statistical significance, the relationship between the formal sanctions of arrest and jail, and the likelihood for a respondent to indicate he would rape were in the direction hypothesized ($r = -.117$ and $-.188$ respectively). These results for the formal sanctions in the acquaintance scenario, however, did not support the present studies hypotheses. There was no statistically significant relationship between the perceived threats of formal sanctions in the form of arrest or jail with the likelihood for a respondent to indicate he would rape.

By contrast, not only did the informal sanctions of embarrassment and guilt reveal the weakest relationships, with the correlation for embarrassment only reaching .003 and the correlation for guilt only reaching .028, they also revealed a positive association. The results for the informal sanctions in the acquaintance scenario did not support the hypotheses posed that the greater the perceived threat of informal sanctions (i.e., embarrassment and guilt), the less likely for a respondent to indicate he would rape. One reason for this may have been that the question specifically asked respondents to estimate a scenario male's fear of sanctions. The difference between asking a respondent to estimate the perceived fear for a scenario male and asking a respondent to estimate his own personal fear of formal and informal sanctions will be discussed after reviewing the data on the respondents' personal perspectives.

Table 8. Correlations between Scenario Male's Fears and Rape in Interested Friend Scenario

	Rape	Embarrassment	Guilt	Arrest	Jail
Rape	1.000				
Embarrassment	-.043	1.000			
Guilt	-.038	.657**	1.000		
Arrest	-.239*	.423**	.373**	1.000	
Jail	-.195*	.313**	.314**	.516**	1.000

* $p < .05$ ** $p < .01$ (two-tailed tests)

Table 8 shows that only the formal sanctions of arrest and jail were both negative and statistically significant in relation to the likelihood for a respondent to indicate he would rape ($r = -.239$ and $-.195$ respectively). In other words, the more a respondent believed that the scenario male feared being arrested and going to jail, the less likely for him to indicate he would rape. The results for the formal sanctions in the interested

friend scenario supported two of the present studies hypotheses. The greater the perceived threat of arrest and jail, the less likely for a respondent to indicate he would rape.

Respondents' Personal Perspectives

In an attempt to discover the strength of the relationship between the dependent variable, likelihood for a respondent to indicate he would rape, and the independent variables, respondents' fear of sanctions, a Pearson's correlation was conducted. The results for the acquaintance scenario can be viewed in Table 9 and the results for the interested friend scenario can be viewed in Table 10.

Table 9. Correlations between Respondents' Fears and Rape in Acquaintance Scenario

	Rape	Embarrassment	Guilt	Arrest	Jail
Rape	1.000				
Embarrassment	-.221*	1.000			
Guilt	-.203*	.482**	1.000		
Arrest	-.355**	.344**	.152	1.000	
Jail	-.229*	.343**	.205*	.867**	1.000

* $p < .05$ ** $p < .01$ (two-tailed tests)

The strongest relationship revealed in the acquaintance scenario could be found between the respondents' fear of being arrested and the likelihood to indicate he would rape ($r = -.355$), and the next strongest relationship could be found between the fear of jail and the likelihood for a respondent to indicate he would rape ($r = -.229$). The weakest relationship was between the fear of guilt and the likelihood for a respondent to indicate he would rape ($r = -.203$).

In contrast, Table 10 shows that the strongest relationship revealed in the interested friend scenario could be found between the respondents' fear of feeling guilty and the

likelihood to indicate he would rape ($r = -.548$), and the next strongest relationship was between the fear of feeling embarrassed and the likelihood for a respondent to indicate he would rape ($r = -.404$). The weakest relationship was between the fear of jail and the likelihood for a respondent to indicate he would rape ($r = -.277$).

Table 10. Correlations between Respondents' Fears and Rape in Interested Friend Scenario

	Rape	Embarrassment	Guilt	Arrest	Jail
Rape	1.000				
Embarrassment	-.404**	1.000			
Guilt	-.548**	.661**	1.000		
Arrest	-.279**	.537**	.411**	1.000	
Jail	-.277**	.503**	.320**	.932**	1.000

* $p < .05$ ** $p < .01$ (two-tailed tests)

All the relationships between the likelihood for a respondent to indicate he would rape and the respondents' fear of sanctions were negative and significant, as expected. Expressed more explicitly, the more likely a respondent feared arrest, jail, embarrassment, and guilt, the less likely to indicate he would rape. This was especially true in the interested friend scenario where all relationships between sanctions and the likelihood for a respondent to indicate he would rape reached significance at the .01 level. The results in Table 9 and 10 supported the main hypotheses formulated in the present study. The greater the perceived threat of guilt, embarrassment, arrest, and jail, the less likely for a respondent to indicate he would rape. What the bivariate correlation analysis revealed was that in the acquaintance scenario, the more likely the male feared arrest and jail, the less likely to indicate he would rape; however, in a potential dating situation, the

more likely the male feared guilt and embarrassment, the less likely to indicate he would rape.

Table 11 was developed to allow for an easy comparison of the correlations between the scenario male's perceived fears and the respondents' perceived fears with the likelihood for a respondent to indicate he would rape. Each correlation revealed in Tables 7 through 10 was placed below in order to compare any differences.

Table 11. Correlation Comparison of Scenario Male's Fears and Respondents' Fears

	<u>Acquaintance Scenario</u>		<u>Interested Friend Scenario</u>	
	Scenario Male's Fears	Respondents' Fears	Scenario Male's Fears	Respondents' Fears
Embarrassment	.003	-.221*	-.043	-.404**
Guilt	.028	-.203*	-.038	-.548**
Arrest	-.117	-.355**	-.239*	-.279**
Jail	-.188	-.229*	-.195*	-.277**

* $p < .05$ ** $p < .01$ (two-tailed tests)

There was a noticeable difference between asking about the scenario male's fears as compared to asking about the respondents' fears. Table 11 clearly shows that respondents' personal fears of formal and informal sanctions had stronger relationships to the likelihood of a respondent to indicate he would rape than the scenario male's perceived fear of sanctions. For example, in the acquaintance scenario, the correlation between the scenario male's fear of arrest and the likelihood for a respondent to indicate he would rape was only -.117 and was not statistically significant, while the correlation between the respondents' fear of arrest and the likelihood for him to indicate he would rape reached -.355 and was statistically significant. A difference was also seen in the interested friend scenario. For example, the correlation between the scenario male's fear

of guilt and likelihood for a respondent to indicate he would rape was only -.038 and not statistically significant, while the correlation between the respondents' fear of guilt and his likelihood to indicate he would rape was -.548 and was statistically significant. Also noted in the table was that neither guilt nor embarrassment reached significance when respondents were asked about the scenario male's fears in both scenarios, but both guilt and embarrassment reached significance when respondents were asked about their own personal fears in both scenarios.

Women as Respondents

Would female respondents differ from male respondents when asked to indicate the perceived level of fear for a scenario male? This research question was posed at the beginning of the present research. In order to examine any differences in the perceived level of fear between male and female respondents, *t*-tests were conducted. Table 12 has shown the comparison of means between the male and female respondents in the acquaintance scenario, while Table 13 has shown the comparison of means between the male and female respondents in the interested friend scenario. Each respondent was asked to perceive the level of fear that the scenario male would have if he had sex with a female who had not consented. Each response could have ranged from 0 to 10, where 0 indicated "no likelihood at all" to fear the sanction and 10 indicated "definitely would" fear the sanction.

Table 12 shows that all the mean responses for the scenario male's perceived fear of sanctions including embarrassment, guilt, arrest, and jail were significantly lower for the female respondents than for the male respondents in the acquaintance scenario. For

example, the mean perceived fear of embarrassment for the males was 5.93 and for the females the mean perceived fear of embarrassment was 4.17. This indicated that the female respondents felt that the scenario male was significantly less likely to be embarrassed for having sex with a woman who had not consented than the male respondents indicated. Differences were also found between the fear of guilt, arrest, and jail. The greatest difference between the males and females was found with the perceived fear of arrest showing a 2.51 decrease in the mean response for females.

Table 12. T-Tests Comparing Males and Females in Acquaintance Scenario

Variable	Male (N=108) Mean	Female (N=138) Mean	<i>t</i>	<i>p</i>
Embarrassment	5.93 (.344)	4.17 (.257)	4.17	.000***
Guilt	4.70 (.291)	3.04 (.207)	4.78	.000***
Arrest	8.24 (.241)	6.40 (.239)	5.35	.000***
Jail	8.26 (.216)	5.75 (.246)	7.43	.000***

Note: Numbers in parentheses are standard errors.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

Table 13 has shown that for the interested friend scenario, much like the acquaintance scenario, all the mean responses for the scenario male's perceived fear of sanctions including embarrassment, guilt, arrest, and jail were significantly lower for the female respondents than for the male respondents. For example, the mean perceived fear of guilt for the males was 4.12 and for the females the mean perceived fear of guilt was only 2.09. This indicated that the female respondents felt that the scenario male was

significantly less likely to feel guilty for having sex with a woman who had not consented than the male respondents indicated. Differences were also found between the fear of embarrassment, arrest, and jail. Similar to the acquaintance scenario, the greatest difference between the males and females in the interested friend scenario was found with the perceived fear of arrest showing a 2.50 decrease in the mean response for females.

Table 13. T-Tests Comparing Males and Females in Interested Friend Scenario

Variable	<u>Male</u> (N=108) Mean	<u>Female</u> (N=138) Mean	<i>t</i>	<i>p</i>
Embarrassment	4.05 (.324)	2.36 (.240)	4.27	.000***
Guilt	4.12 (.308)	2.09 (.201)	5.74	.000***
Arrest	5.22 (.319)	3.44 (.239)	4.56	.000***
Jail	5.88 (.302)	3.38 (.241)	6.56	.000***

Note: Numbers in parentheses are standard errors.

* $p < .05$ ** $p < .01$ *** $p < .001$ (two-tailed tests)

By comparing the means of male and female respondents it was revealed that in every instance, the mean scores for the females were less than the mean scores for the males. In each instance these differences were statistically significant at the .001 level. These results addressed the research question posed in the present research by revealing a statistically significant difference between male and female respondents when asking to indicate the perceived level of fear for a scenario male.

Review

The purpose of this research was to examine the relative power of formal sanctions, such as arrest and jail, and informal sanctions, such as guilt and embarrassment, in deterring college males from considering the specific crime of rape. Therefore the following hypotheses were created:

1. The greater the perceived threat of guilt, the less likely for a respondent to indicate he would rape.
2. The greater the perceived threat of embarrassment, the less likely for a respondent to indicate he would rape.
3. The greater the perceived threat of arrest, the less likely for a respondent to indicate he would rape.
4. The greater the perceived threat of jail, the less likely for a respondent to indicate he would rape.

After careful analysis of the results, it was discovered that the aforementioned hypotheses may have been too simply stated. How the questions were asked and the two different scenarios used, varied the responses. For example, in the acquaintance scenario, when respondents were asked to estimate the perceived fear for the scenario male, none of the hypotheses were supported. Not one of the relationships between the scenario male's fear of sanctions and the likelihood for a respondent to indicate he would rape reached significance. However, in the interested friend scenario, when respondents were asked to estimate the perceived fear for the scenario male, Hypothesis 3 and Hypothesis 4 were supported. The formal sanctions of arrest and jail were negatively related to the

likelihood for a respondent to indicate he would rape, and the relationships were statistically significant ($r = -.239$ and $-.195$ respectively). In contrast, when respondents were asked to estimate their own fear of sanctions, all four hypotheses were supported when using both the scenarios. In other words, the relationships between embarrassment, guilt, arrest, and jail with the likelihood for a respondent to indicate he would rape were negative and statistically significant in the acquaintance and the interested friend scenarios (see Tables 9 and 10).

Additionally, at the inception of the present study, it was noted that this thesis would explore the differences between asking a respondent to estimate a scenario male's fear of formal and informal sanctions as compared to asking a respondent to estimate his own personal fear of formal and informal sanctions. What was revealed was that there were stronger relationships between the respondents' fear of sanctions and the likelihood to indicate he would rape than for the scenario male's perceived fear of sanctions and the likelihood for a respondent to indicate he would rape.

Finally, the present study posed the following research question: Will female respondents differ from male respondents when asked to indicate the perceived level of fear for a scenario male? The analysis uncovered a statistically significant difference between male and female respondents. The mean scores for the females were less than the mean scores for the males regardless of the sanction (i.e., embarrassment, guilt, arrest, or jail) and regardless of the scenario (i.e., acquaintance or interested friend).

CHAPTER 5

DISCUSSION

When respondents were answering for themselves, as opposed to estimating for a scenario male, both formal and informal sanctions were effective in deterring the likelihood to indicate they would rape. This first key finding in the present study found that the informal sanctions (embarrassment and guilt) and the formal sanctions (arrest and jail) were all significant and negatively related to the likelihood for a respondent to indicate he would rape (see Table 9 and Table 10). This supported all four of the present studies hypotheses by revealing that the more a respondent feared embarrassment, guilt, arrest, and jail, the less likely to indicate he would rape. The effectiveness of the informal sanctions in this study supported the importance of expanding deterrence theory to include them as measured costs of crimes. This was consistent with Grasmick and Bursik's (1990) argument that the notion of deterrence could be extended to other types of sanctions besides those imposed by the state.

The second key finding in the present study was that the effectiveness of the sanctions depended on the circumstances of the situation. By utilizing scenarios as a method of inquiry, the specific circumstances in each scene were detailed for the respondent. The results of the analysis discovered that informal sanctions were significantly greater deterrent factors than formal sanctions in the interested friend scenario. Evidently, for the scenario describing a more common date rape, as opposed to a violent stranger rape, guilt and embarrassment had stronger negative relationships to the likelihood for a respondent to indicate he would rape. In other words, the fear of feeling

guilty and embarrassed had stronger deterrent effects than the fear of arrest and jail.

Perhaps because the interested friend scenario included the female drinking, inviting a male friend into her apartment, and consenting to kissing, respondents could better understand the possibility of forced sex, and they expected very little probability of formal sanctions.

When a respondent was asked to estimate the perceived fear of sanctions for a scenario male, much different results were exposed than when a respondent was asked to estimate his own personal fear of sanctions. Possible explanations for this have been discussed in prior literature (see Bachman et al. 1992 and Abbey et al. 2001). For example, respondents could have felt that a person willing to commit rape does not have the same sensitivity to consequences as others; therefore, he would not experience guilt or embarrassment for committing such a crime. By only asking about the scenario male, it was possible that the questions actually asked: How likely is a rapist to fear guilt, embarrassment, arrest, or jail? This is contrary to the original intention of discovering the respondents' fear of guilt, embarrassment, arrest, and jail. This potential problem with the validity of asking a respondent to estimate the perceived sanctions for a scenario male came into question when it was discovered that different results occurred depending on whose fear of sanctions was being estimated. This was the third key finding in the present study.

The fourth key finding in the present study was that there were differences between the sexes regarding fear of consequences. Men believed that the scenario male feared formal and informal sanctions significantly more than women assumed. Since it

has been accepted that rape is an act of violence rooted in gender inequality (Allison and Wrightsman 1993; Brownmiller 1975; Griffin 1979; Horos 1981; Sanday 1996), it should not have been surprising that the present study revealed that men and women did not share the same views on effective sanctions to deter the likelihood of a respondent to indicate he would rape. Verberg et al. (2000) suggested that issues surrounding rape could be influenced by gender and were supported by the results in this study. Verberg et al. (2000) suggested that women have been more sensitive to the gender-specific nature of rape victimization, because they are more likely to be the victims; many women fear rape and the humiliation and shame that may accompany it. The results of the present study suggested that perhaps men are sensitive to the gender-specific nature of rape perpetration, because they are more likely to be the perpetrators; many men may fear being accused of rape and the humiliation and shame that may accompany it. As this was the first study to use female respondents to estimate the perceived level of fear for a scenario male, these results should be considered preliminary.

Implications of the Results

What has been important to the postclassical, deterrence theory is that there are multiple factors that may prevent somebody from committing a crime. Self-imposed sanctions, socially imposed sanctions, as well as state-imposed sanctions could all be effective deterrents in this expanded theory. In this research, as in the past, the informal sanctions included self-imposed costs in the form of guilt and socially imposed costs in the form of embarrassment. These informal sanctions were useful deterrents especially when formal sanctions were not effective. In fact, the present research suggested that a self-imposed

sanction such as guilt could effectively deter date rape. The implication of this discovery suggested that college males must be educated to understand that unwanted sexual intercourse, regardless of the level of violence displayed, is a morally deplorable offense. This strategy could increase the feelings of guilt, thereby decreasing the likelihood of date rape. The present research also implied that when a rape did not include additional violence or threats of violence, how the perpetrator was viewed by his friends was important. Just as the antilittering campaign that appealed to citizens' conscience was an attempt to increase the threat of shame and embarrassment for littering in Oklahoma (Grasmick et al. 1991), the results in the current study provided grounds for an antirape campaign that appeals to college men's conscience in an attempt to increase the threat of guilt and embarrassment for raping.

It was supported by the present research that including informal sanctions could increase the ability to explain criminal behavior. The implication was that classical deterrence theory, based on the belief that only formal sanctions could deter crime, does not sufficiently explain the probability of committing rape. The more broad vision of the extended deterrence theory may be more accurate than the classical model in this instance.

This study not only confirmed that there was a relationship between fear of both types of sanctions and the likelihood for a respondent to indicate he would rape, but it also examined the notion that females held different perceptions than males. Women have made up the overwhelming majority of executive directors of rape crisis centers and have been the majority of the authors of rape prevention curriculums. The absence of the

male perspective in these aspects of the antirape movement could be problematic, especially when the past research has shown that men have consistently defined, described, and reacted to rape perpetration differently than women. The results in the current study supported engaging men as social justice allies in order to integrate their perspective into the antirape movement.

Limitations

The current study was limited by the following factors: sample was not random and demographics were not diverse. The sample in this study was in many ways a homogenous group. All of the respondents were college students, most were under the age of 25, and almost all of them were single and unmarried. This study could have benefited from the inclusion of diverse racial backgrounds and socioeconomic status, both of which may have provided varied responses. The general limitations of the sample prevented a larger generalization to a significantly more heterogeneous group. However, since college students have been greatly affected by rape, the sample provided some useful insight.

Comments from Student Respondents

Several students took advantage of the opportunity to make comments at the end of the questionnaire. Most comments were made by the female respondents, and a good number of them focused on the element of alcohol in the second scenario. “If your drunk, you should walk with another girl,” said a nineteen-year-old female. “Tammie was drunk and invited him (David) to enter her home—it was her fault,” said another woman who was twenty years old. Yet another woman (twenty-three years old) went

even further to explain her victim blaming by stating, “It is sad but if he was drunk it would still be her fault because he was intoxicated and he didn’t know what he was doing and she shouldn’t have put herself in that situation. And if she was intoxicated then it was still her fault because she was drunk.” A couple of men commented on the involvement of alcohol as well. “I believe that more than casual drinking is what causes many rapes of this type,” said a twenty-five-year-old male. “It would be very difficult to prove David was guilty in a court of law because Tammie allowed herself to be vulnerable by drinking and inviting him over,” said another man who was twenty-five years old.

Another theme evident in the additional comments was Tammie’s lack of physical resistance. A twenty-year-old female stated that “Tammie should carry mace or pepper spray.” Another woman (thirty-two years old) commented, “She said no the second time but it was not indicted that she was persistent and tried to fight him off like the first scenario.”

Some comments were made on behalf of the victim with one respondent who indicated, “Intoxicated or not, both are rape cases” (twenty-year-old female), and another stated, “In both cases David’s actions were wrong” (forty-five-year-old male).

Although these comments were not utilized in this researcher’s data analysis it did provide some insight into the respondents’ way of thinking as they completed the questionnaires. Although this research was not a study on levels of victim blaming, the cultural tendency to do so in rape incidents was evident throughout the respondents’ comments. While rape prevention campaigns tout that rape is never the survivor’s fault,

and that no one asks to be raped, most of the students who took the time to respond to the questionnaire clearly did not subscribe to that mantra. A twenty-three-year-old male summed up the ambiguity that often surrounds rape perfectly by stating, “It depends on the situation whether rape happens. On paper everything is black and white. In life there is gray.”

Recommendations

Jeremy Bentham ([1781] 1988) asserted that human action was based on pleasure and pain, and Cesare Beccaria ([1764] 1986) declared that people were more prone to criminal activity when the benefit of the action outweighed the cost of the punishment. The present research only looked at perceived costs and never asked about perceived benefits. Loewenstein et al. (1997) began this exploration, but it is an issue that only additional research can address.

The effect of alcohol was not measured in the present study, but based on the additional comments at the end of the questionnaires, it seemed to have been a recurring concern. With this research, there was no way to know how the omission of alcohol in the scenario could have affected the responses. Future research needs to address the effects that alcohol may have on people’s perceptions of rape victims and perpetrators.

Much more research needs to be done on rape deterrence. Only three major studies (see Bachman et al. 1992, Lowenstein et al. 1997, and Veneziano and Veneziano 1996) plus this humble thesis have approached the task of measuring how sanctions may affect rape proclivity. Therefore, not only is more research needed in this area, but such research should focus on a more diverse sample and consider highlighting the effects of

alcohol on respondents' perspectives. There is so much misunderstanding when it comes to the crime of rape. It is only through sensitivity to the various factors that surround rape victimization and the perceptions of formal and informal sanctions that we can hope for any success in rape deterrence.

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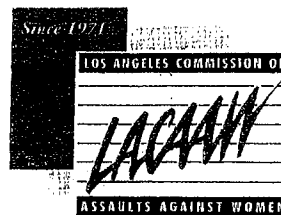
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APPENDIX A

MEMORANDUM OF UNDERSTANDING

2002



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into as an agreement between The Los Angeles Commission on Assaults Against Women, (LACAAW) and Lita Mercado - San Jose Graduate Student. The Los Angeles Commission on Assaults Against Women, (LACAAW) and Lita Mercado- San Jose Graduate Student agree as follows:

Purpose: To provide access to the community and support rape prevention research.

Term of Agreement: This agreement shall be in effect from August 2002 and shall remain in effect through August 2003.

Services:

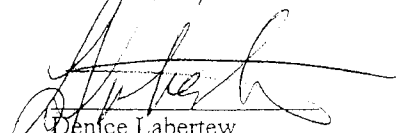
Lita Mercado- San Jose Graduate Student agrees to provide:

1. Referral services to LACAAW.
2. Access to research materials, data collected during research and final study results.

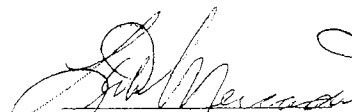
LACAAW agrees to provide:

1. 24-hour Crisis Intervention Services through the L.A. Rape and Battering Hotline to all research subjects.
2. Access to Colleges and Universities throughout the Los Angeles Area during Rape Prevention Education.

Date: 7/31/02


Denise Labertew
Project Director
LACAAW-WSGV

Date: 7/31/02


Lita Mercado
San Jose Graduate Student

Meira Headquarters
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CA 90015

Office
213-955-9090
Self-Defense
213-955-9098
TDD
213-955-9095
FAX
213-955-9093

West San Gabriel
Valley Center
464 EAST WALNUT STREET
SUITE 201
PASADENA
CA 91101

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626-585-0447
TDD
626-585-9358

Mid San Fernando Valley
Violence Prevention Center
7555 VAN NUYS
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VAN NUYS
CA 91405

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FAX
818-787-5070

E-Mail
info@lacaaw.org

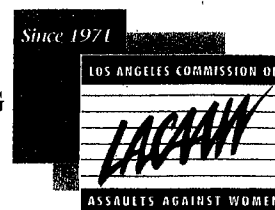
World Wide Web
www.lacaaw.org

24-Hour Hotlines
310-392-8381
213-626-3593
626-793-3385

APPENDIX B

MEMORANDUM OF UNDERSTANDING

2003



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into as an agreement between The Los Angeles Commission on Assaults Against Women, (LACAAW) and Lita Mercado – San Jose Graduate Student, LACAAW and Lita Mercado – San Jose Graduate Student agree as follows:

Purpose: To provide access to the community and support rape prevention research.

Term of Agreement: This agreement shall be in effect from August 2002 and shall remain in effect through December 2005.

Services:

Lita Mercado – San Jose Graduate Student agrees to provide:

1. Referral services to LACAAW
2. Access to research materials, data collected during research, and final study results.

LACAAW agrees to provide:

1. 24-hour crisis intervention services through the L.A. Rape and Battering Hotline to all research subjects.
2. Access to Colleges and Universities throughout the Los Angeles area.

Date: 2/1/03

Denise Labertew
Project Director
LACAAW - WSGV

Date: 2/1/03

Lita Mercado
San Jose Graduate Student

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626-793-3385



A United Way Agency

APPENDIX C

AGREEMENT TO PARTICIPATE IN RESEARCH

Responsible Investigator: Lita Mercado

Title of Protocol: Formal and Informal Sanctions: Why Men Don't Rape

1. I have been asked to participate in a research study investigating the relative effects of formal and informal sanctions (i.e., self-imposed sanctions and socially imposed sanctions).
2. I will be asked to complete a questionnaire distributed to me during one of my college courses held on campus.
3. There is a minimal risk of emotional discomfort from completing the questionnaire. Probability and magnitude of harm or discomfort are no greater than encountered in daily life.
4. No discernible benefits to the respondents are reasonably expected to occur due to the questionnaire. However, all respondents may benefit from the referral information on the programs and services document distributed in the class.
5. The results of this study may be published and may be provided to the Los Angeles Commission on Assaults Against Women, but no information that can identify the respondents will be included.
6. There is no compensation for participation in this study.
7. Questions about the research may be addressed to the principal investigator, Lita Mercado, at 626-585-9166. Complaints about the research may be presented to the respective Department Chair, Dr. Carol Ray, at 408-924-5320. Questions

about respondents' rights or research related injury may be presented to Nabil Ibrahim, Ph.D., Associate Vice President for Graduate Studies and Research, at (408) 924-2480.

8. No service of any kind, to which a respondent is otherwise entitled, will be lost or jeopardized if a person chooses to “not participate” in this study.
9. Consent is given voluntarily. A respondent may refuse to participate in this study or in any part of the study. If a respondent decides to participate in the study, he or she is free to withdraw at any time without prejudice to the respondent's relations with San Jose State University or any other participating institutions.
10. I have received a signed and dated copy of this consent form.
 - The signature of a respondent on this document indicates agreement to participate in the study.
 - The signature of a researcher on this document indicates agreement to include the above named respondent in the research and attestation that the respondent has been fully informed of his or her rights.

Signature

Date

Investigator's Signature

Date

APPENDIX D

MALE QUESTIONNAIRE

This questionnaire consists of three parts: (1) personal information, (2) acquaintance scenario with corresponding questions, and (3) interested friend scenario with corresponding questions. Your answers are voluntary and anonymous. I appreciate your cooperation and assistance.

Part I

1. How old are you?

_____years old.

2. What is the highest level of education completed? (Check only one.)

- | | | |
|--|---|--|
| <input type="checkbox"/> Elementary school | <input type="checkbox"/> Jr. high school | <input type="checkbox"/> High school diploma |
| <input type="checkbox"/> GED | <input type="checkbox"/> Some high school | <input type="checkbox"/> Some College |
| <input type="checkbox"/> B.A. or B.S. | <input type="checkbox"/> Some graduate school | <input type="checkbox"/> M.A. or M.S. |
| <input type="checkbox"/> Other | | |

3. What is your relationship status? (Check only one.)

- | | |
|---|---|
| <input type="checkbox"/> No current romantic relationship | |
| <input type="checkbox"/> Casually dating | |
| <input type="checkbox"/> Committed boyfriend | <input type="checkbox"/> Committed girlfriend |
| <input type="checkbox"/> Engaged | <input type="checkbox"/> Married |
| <input type="checkbox"/> Separated | <input type="checkbox"/> Widowed |
| <input type="checkbox"/> Divorced | <input type="checkbox"/> Other _____ |

Part II

Scenario 1: ACQUAINTANCE

Tammie is a twenty-year-old female college student. When returning to her apartment from shopping, David approached her. David is a twenty-two-year-old male college student who Tammie had seen on campus but did not know. He asked her if he could use her phone, and she let him in. After David was inside the apartment he eluded that he wanted to have sex with her. She told him no and tried to push him out of the apartment, but she couldn't. David threatened to hit her if she didn't give in, and Tammie became too frightened to protest. David had sexual intercourse with her and then left.

Now we'd like to ask you some questions about things that might happen as a result of this incident. For all questions, please answer according to a 0 to 10 scale, where 0 indicates "no likelihood at all" and 10 indicates "definitely would happen."

4. Estimate the likelihood that David would be embarrassed if his friends found out about the incident.

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

5. Estimate the likelihood that David would feel guilty about the incident.

0	1	2	3	4	5	6	7	8	9	10	
(No likelihood at all)											(Definitely would happen)

6. Estimate the likelihood that Tammie would report this incident to the police.

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)						(Definitely would happen)				

7. Estimate the likelihood that because of this incident, the police would arrest David.

0 1 2 3 4 5 6 7 8 9 10
 (No likelihood at all) (Definitely would happen)

(Circle your response.)

9. Estimate the likelihood that because of this incident, David would have to do some jail time.

10. If David had to do some jail time, how big of a problem do you think it would create for his life? (Circle your response.)

11. Estimate the likelihood that you would do what David (the scenario male) did under the same circumstances.

12. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, how likely is it that you would feel guilty afterwards?

13. Theoretically speaking, if you chose to have sexual intercourse with Tammie under the same circumstances, estimate the likelihood that you would be embarrassed if your friends found out about the incident.

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0	1	2	3	4	5	6	7	8	9	10	
(No likelihood at all)											(Definitely would happen)

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)						(Definitely would happen)				

[illegible]

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

	0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)											(Definitely would happen)

1 No problem at all 2 A little problem 3 A big problem

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

1 No problem at all 2 A little problem 3 A big problem

0 1 2 3 4 5 6 7 8 9 10
(No likelihood at all) (Definitely would happen)

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

[illegible]

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)						(Definitely would happen)				

APPENDIX E

FEMALE QUESTIONNAIRE

This questionnaire consists of three parts: (1) personal information, (2) acquaintance scenario with corresponding questions, and (3) interested friend scenario with corresponding questions. Your answers are voluntary and anonymous. I appreciate your cooperation and assistance.

Part I

1. How old are you?

_____years old

2. What is the highest level of education completed? (Check only one.)

- | | | |
|--|---|--|
| <input type="checkbox"/> Elementary school | <input type="checkbox"/> Jr. high school | <input type="checkbox"/> High school diploma |
| <input type="checkbox"/> GED | <input type="checkbox"/> Some high school | <input type="checkbox"/> Some College |
| <input type="checkbox"/> B.A. or B.S. | <input type="checkbox"/> Some graduate school | <input type="checkbox"/> M.A. or M.S. |
| <input type="checkbox"/> Other | | |

3. What is your relationship status? (Check only one.)

- | | |
|---|---|
| <input type="checkbox"/> No current romantic relationship | |
| <input type="checkbox"/> Casually dating | |
| <input type="checkbox"/> Committed boyfriend | <input type="checkbox"/> Committed girlfriend |
| <input type="checkbox"/> Engaged | <input type="checkbox"/> Married |
| <input type="checkbox"/> Separated | <input type="checkbox"/> Widowed |
| <input type="checkbox"/> Divorced | <input type="checkbox"/> Other _____ |

Part II

Scenario 1: ACQUAINTANCE

Tammie is a twenty-year-old female college student. When returning to her apartment from shopping, David approached her. David is a twenty-two-year-old male college student who Tammie had seen on campus but did not know. He asked her if he could use her phone, and she let him in. After David was inside the apartment he eluded that he wanted to have sex with her. She told him no and tried to push him out of the apartment, but she couldn't. David threatened to hit her if she didn't give in, and Tammie became too frightened to protest. David had sexual intercourse with her and then left.

Now we'd like to ask you some questions about things that might happen as a result of this incident. For all questions, please answer according to a 0 to 10 scale, where 0 indicates "no likelihood at all" and 10 indicates "definitely would happen."

4. Estimate the likelihood that David would be embarrassed if his friends found out about the incident.

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

5. Estimate the likelihood that David would feel guilty about the incident.

[illegible]

6. Estimate the likelihood that Tammie would report this incident to the police.

0 1 2 3 4 5 6 7 8 9 10
 (No likelihood at all) (Definitely would happen)

7. Estimate the likelihood that because of this incident, the police would arrest David.

0 1 2 3 4 5 6 7 8 9 10
(No likelihood at all) (Definitely would happen)

12. Estimate the likelihood that David would be embarrassed if his friends found out about the incident.

13. Estimate the likelihood that David would feel guilty about the incident.

14. Estimate the likelihood that Tammie would report this incident to the police.

15. Estimate the likelihood that because of this incident, the police would arrest David.

16. If David was arrested, how big of a problem do you think it would create for his life?
(Circle your response.)

17. Estimate the likelihood that because of this incident, David would have to do some jail time.

18. If David had to do some jail time, how big of a problem do you think it would create for his life? (Circle your response.)

75

19. Estimate the likelihood that you would do what David (the scenario male) did under the same circumstances.

0	1	2	3	4	5	6	7	8	9	10
(No likelihood at all)							(Definitely would happen)			

Please make any additional comments you desire:
